

REMARKS/ARGUMENTS

In the present application, claims 1-5 are pending. Claims 1-5 are rejected. By this amendment, claims 6 and 7 are added. No new matter has been added. Claims 1-7 are believed to be in condition for allowance.

The Specification

Various informalities have been corrected. Specifically, "coder" has been changed to read correctly as "cooler". Likewise, references to FIGS. 4 and 5 have been changed to FIGS. 3 and 4, respectively.

Claim Rejections under 35 U.S.C. 112

The examiner rejected claims 1-5 as failing to comply with the enablement requirement. Specifically, the examiner maintains that the claims contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to make or use the invention. The examiner notes that the claims recite a bypass line assembly comprising a bypass line, a bypass valve, and a manual throttle valve. The examiner contends, however, that the specification does not provide adequate support for the disclosure of the bypass line. The examiner states that the line containing the valve and manual throttle valve is readable as the outlet for the exiting high pressure gas and liquid from the condenser. As such, the examiner contends that the specification does not disclose a main line for the gas and liquid from the condenser such that the conduit containing the valve and the throttle valve could be a bypass line.

Applicants emphatically, but respectfully, disagree with the examiner's contention. Specifically, with respect to FIGS. 1 and 2, there is illustrated a standard condenser 13. As is well known to one skilled in the art, gas enters through condenser isolation valve 11, proceeds upon a circuitous route through condenser 13, and exits through the outlet 21 as a two phase liquid/vapor typically comprising approximately 90% liquid and 10% vapor. In contrast, hot gas bypass line 17, as clearly illustrated in FIGS. 1 and 2, receives only gas and directs this gas outside of condenser 13, thus effectively bypassing condenser 13. As such, it is clearly stated and illustrated in the specification of the present application that hot gas bypass line 17 does in fact form a "bypass line" allowing gas to bypass a condenser 13. As a result of this observation, Applicant respectfully traverses the examiner's grounds for rejection with respect to claims 1-5. As a result, claims 1-5 are believed to be in condition for allowance.

Claim Rejections under 35 U.S.C. 102

The examiner rejected claims 1-3 as being anticipated by Fitzgerald (U.S. Patent No. 4,301,731). The examiner notes that the patent to Fitzgerald discloses a conduit for transporting gas in a first direction, a supply line including a first valve, and a second manual valve located upstream from the first valve. The examiner further notes that the manual valve includes a pressure release passage.

Applicant respectfully disagrees with the examiner's characterization of Fitzgerald. First of all, Fitzgerald does not teach "a bypass line for transporting a gas in a flow direction" as does the present application. As the examiner notes, Fitzgerald discloses a conduit for transporting gas in a

first direction. However, as is evident by a cursory examination of both FIGS. 1 and 2 of the Fitzgerald patent, this conduit is in no way shape or form a bypass line. In fact, conduit 36 is the only line through which the pressurized gas must flow. As conduit 36 is therefore most definitely not a bypass line, Fitzgerald fails to teach the central element of claim 1 of the present application. As a result, Applicant respectfully traverses the examiner's grounds for rejection with respect to claim 1. Claim 1 is therefore believed to be in condition for allowance. As claims 2 and 3 depend on claim 1, claim 1 now believed to be in condition for allowance, claims 2 and 3 are likewise believed to be in condition for allowance.

Claim Rejections under 35 U.S.C. 103

The examiner rejects claims 4 and 5 as being unpatentable over Fitzgerald. Specifically, the examiner notes that it would have been an obvious design expedient to one of ordinary skill in the art at the time of the invention to have modified the manual valve of Fitzgerald to have the hole providing the pressure release function form with the diameter between 0.06 inches and 0.185 inches. Claims 4 and 5 are both dependent upon claim 1. As a result of the arguments offered above, claims 1-3 are believed to be in condition for allowance. As a result, claims 4-5 are likewise believed to be in condition for allowance.

New Claims

Applicant has herein added claims 6 and 7. Claims 6 and 7 are aimed at making more explicit the structure and function of manual valve 25 and, in particular, the pressure release passage. In the present invention, when necessary, the gas in

the bypass line can flow in a direction opposite to flow direction 27 so as to release pressure between valves 23 and 25. As is clearly evident from FIG. 2, and the discussions in the specification regarding the construction of manual valve 25, the gas flowing opposite flow direction 27 through the pressure release passage remains inside of the bypass line. Failure to do so would result in the venting of environmentally dangerous gases into the environment. In contrast, Fitzgerald clearly illustrates in FIG. 2 the venting of pressurized gas via passages in the manual valve out into the environment. As this is considered to be an important difference between the present invention and that of the cited art, claims 6 and 7 have been added. Specifically, claim 6 notes that the pressure release passage extends through the bypass line. This is to make clear that no part of the pressure release passage exits the bypass line allowing a path for gas to flow into the environment. Similarly, claim 7 makes clear that gas which flows opposite the flow direction through the pressure release passage remains within the bypass line. No new matter has been added in adding these claims. As a result, claims 6 and 7 are likewise believed to be in condition for allowance.

Applicant encloses herewith a check in the amount of \$110.00 to cover the fee for a one (1) month extension of time request.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the

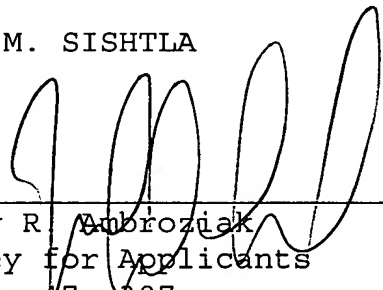
Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any additional fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

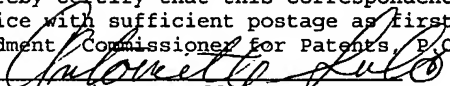
Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Mailstop Amendment Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on September 17, 2004


Antoinette Sull